

NOTE: This disposition is nonprecedential.

## United States Court of Appeals for the Federal Circuit

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**BLACKBIRD TECH LLC, DBA BLACKBIRD  
TECHNOLOGIES,**  
*Plaintiff-Appellant*

v.

**CLOUDFLARE, INC.,**  
*Defendant-Appellee*

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2018-1644

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Appeal from the United States District Court for the  
Northern District of California in No. 3:17-cv-06112-VC,  
Judge Vince Chhabria.

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**BLACKBIRD TECH LLC, DBA BLACKBIRD  
TECHNOLOGIES,**  
*Plaintiff-Appellant*

v.

**INCAPSULA, INC.,**  
*Defendant-Appellee*

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2018-1648

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Appeal from the United States District Court for the Northern District of California in No. 3:17-cv-06883-VC, Judge Vince Chhabria.

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**JUDGMENT**

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WALTER D. DAVIS, JR., Davidson Berquist Jackson & Gowdy, LLP, McLean, VA, argued for plaintiff-appellant. Also represented by STAMATIOS STAMOULIS, Stamoulis & Weinblatt LLC, Wilmington, DE; WENDY VERLANDER, Blackbird Tech LLC d/b/a Blackbird Technologies, Boston, MA.

ANTHONY MATTHEW GARZA, Charhon Callahan Robson & Garza, P.C., Dallas, TX, argued for defendants-appellees. Defendant-appellee CloudFlare, Inc. also represented by STEVEN CHASE CALLAHAN.

MICHAEL JOHN SACKSTEDER, Fenwick & West, LLP, San Francisco, CA, for defendant-appellee Incapsula, Inc.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, BRYSON, and MOORE, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

February 13, 2019  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court